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DATE: 10/6/05

FAX TO: COMMISSIONER FOR PATENTS

FAX: 571-273-8300

FROM: Shuey Thomas Crocket
#10/083/771

PAGES INCLUDING COVER PAGE: 17

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Supplementary for Petition to Commissioner for Patents filed Sept 3, 05

Regarding Application # 10,083,771

Applicant - Huey Thomas Crochet

Inventor – Huey Thomas Crochet

Title – Dynamic Snag Resistant Fishing Weight

Examiner – Kurt Rowen

Art Unit 3643

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37 CFR 1.8

Sir, the applicant recounts briefly that his application has been statutorily abandoned through an error on the part of his examiner which prematurely and inappropriately instigated said abandonment.

The applicant had little time to react as the examiner's long response times of three months or more used up two months of the applicant's time for reply.

The applicant replied with a petition to the Director of Art Unit 3643 in a timely fashion and did, in fact, petition said director yet again with no formal response to either.

The examiner however, has put forward eight proposed sets of claims as of Sept. 12, 05. The applicant's abandonment was in force on Aug. 8, 05.

Clearly the director's lack of formal response has been to give the examiner a chance to rectify his mistake, however in each case said examiner has chosen to either inaccurately describe the applicant's invention or to describe said invention in a manner that would change the operation and structure of said invention.

The examiner's actions regarding said proposals are in direct violation of MPEP 2173.02. Said 8th proposal however, has gone a step farther by also proposing that the applicant change his specification to support said examiner's re-invention of the applicant's fishing weight.

The applicant is including said 8th proposal in the facsimile transmission of this correspondence.

The sheet containing the actual claim of said 8th proposal was faxed to the examiner Sept. 1, 05, whereupon said examiner made mark-ups regarding his own preferences and returned the same sheet by fax to the applicant on Sept. 12, 05.

The applicant objects to the addition of the word assembly to said applicant's claims as well as the changes to the applicant's specification proposed by the examiner which describe the applicant's fishing weight as a fishing weight assembly.

The applicant also objects to the last line of said changes wherein the examiner implies that the o-ring and swivel are not integrally attached to the body of said weight and therefore would be optional and not part of the whole.

The description of said weight in the applicant's specification can only be interpreted as having the o-ring and swivel integrally attached as part of the intended design.

The applicant reiterates his request that the director be instructed to enact a withdrawal of abandonment such that the applicant may be allowed to either write a new claim or be allowed an avenue to appeal.

37 CFR 1.181

I hereby certify that this correspondence is being facsimile transmitted to the USPTO (Fax# 571-273-8300) on this date 10/6/05

Huey Thomas Crochet

Signature Huey Thomas Crochet



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Date : 9/12/05
To : Mr. Crockett
Fax No : 936-328-5483
Number of Pages: 3
From : Directors Office Technology Center 3600

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- [] Jill Bianco, Secretary
- [] John Love, Director Art Units 3620 and 3630
- [] Jill Bianco and Betty Kaminsky, Secretaries
- [] Robert Oberleitner, Director Art Units 3610, 3650 and 3680
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Brief Description of the Drawing

The Figure shows the snag-resistant fishing weight assembly of the preferred embodiment.

Detailed Description of the Preferred Embodiment

The snag-resistant fishing weight assembly includes a long swivel 1. The long swivel 1 is used to connect other fishing apparatus, such as fishing line (not shown), to one of the ends of the swivel. The swivel 1 prevents line twist. The other end of the long swivel 1 is attached to an O-ring 2. The O-ring is attached to the one end of weight 4 by way of hole 3. Weight 4 includes a short angled portion, a longer portion and a bend portion causing the short angled section to project at an angle from the remaining long section.

By way of example, a specific embodiment would include a 1-inch long swivel 1 and a 3/8-inch O-ring 2. The hole 3 in the short angled portion of the weight 4 would be 1/8-inch in diameter and reside 1/16-inch from an end of the short angled portion. The angle formed between the two portions of weight 4 would be 40 degrees. The weight would be 6 inches long and 1/4 inch in diameter. The weight would be made of iron and weigh about 1 1/2 ounces.

The swivel 1, O-ring 2 and weight 4 may be attached directly to each other or by short sections of fishing line as shown.